

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * *

WILLIAM ROBINSON,

Case No. 2:15-cv-00556-JAD-PAL

Plaintiff,

ORDER

v.

(IFP Application – Dkt. #3)

STEPHEN B. WOLFSON, et al.,

Defendants.

This matter is before the Court on Plaintiff William Robinson's Application to Proceed *In Forma Pauperis* (Dkt. #3) pursuant to 28 U.S.C. § 1915. Plaintiff is a prisoner proceeding in this action *pro se*, and submitted a Complaint (Dkt. #1-1) along with a financial affidavit and inmate trust account statement required by 28 U.S.C. § 1915(a)(2) and Local Rules LSR 1-1 and 1-2. This proceeding was referred to the undersigned pursuant to the provisions of 28 U.S.C. § 636(b)(1)(A) and (B) and Local Rules IB 1-9.

Plaintiff's financial affidavit shows that he is unable to prepay fees and costs or give security for them. Accordingly, his request to proceed in forma pauperis will be granted pursuant to 28 U.S.C. § 1915(a). Plaintiff must pay an initial partial filing fee of the greater of twenty percent of the average monthly deposits or twenty percent of the average monthly balance of his account for the six months immediately preceding the commencement of this action. *See* 28 U.S.C. § 1915(b)(1). Plaintiff's average monthly balance is .04¢, and his average monthly deposits are \$26.28. Therefore, the Court finds that Plaintiff must pay an initial partial filing fee of \$5.26.

Upon receipt of the initial partial filing fee, the Court will screen Plaintiff's complaint pursuant to 28 U.S.C. § 1915A ("The court shall review, before docketing, if feasible or, in any event, as soon as practicable after docketing, a complaint in a civil action in which a prisoner

1 seeks redress from a government entity or officer or employee of a governmental entity”).
 2 Plaintiff is advised that even if this action is dismissed, he must still pay the full filing fee
 3 pursuant to 28 U.S.C. § 1915(b)(2).

4 Accordingly,


5 **IT IS ORDERED:**

- 6 1. Plaintiff’s Application to Proceed *In Forma Pauperis* (Dkt. #1) is GRANTED.
 7 He shall be required to pay an initial partial filing fee in the amount of \$5.26
 8 toward the full filing fee of \$350.00.¹ Plaintiff shall have until **August 17, 2015**,
 9 to have the designated fee sent to the Clerk of the Court. Failure to do so may
 10 result in a recommendation to the district judge for dismissal of this action. Even
 11 if this action is dismissed, the full filing fee must still be paid pursuant to 28
 12 U.S.C. § 1915(b)(2). Upon receipt of the initial partial filing fee, the Court will
 13 screen Plaintiff’s complaint pursuant to 28 U.S.C. § 1915(a).
- 14 2. Plaintiff is permitted to maintain this action to conclusion without the necessity of
 15 prepayment of any additional fees or costs or the giving of security therefor. This
 16 Order granting *in forma pauperis* status shall not extend to the service of
 17 subpoenas at government expense.
- 18 3. The Clerk of Court shall provide Plaintiff with two copies of this Order. Plaintiff
 19 is ordered to make the necessary arrangements to have one copy of this Order
 20 attached to the check in the amount of the initial partial filing fee.
- 21 4. Pursuant to 28 U.S.C. § 1915(b)(2), the Clark County Detention Center shall
 22 forward to the Clerk of the United States District Court, District of Nevada,
 23 twenty percent preceding month’s deposits to Plaintiff’s account (in the months
 24 that the account exceeds \$10.00) until the full \$350.00 filing fee has been paid for
 25 this action. The Clerk of the Court shall send a copy of this Order to the Finance
 26 Division of the Clerk’s Office and the CCDC Accounting Supervisor, 330 S.

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 28 ¹ Pursuant to the court’s Schedule of Fees dated January 1, 2015, the administrative fee of \$50.00 does not apply to
 persons granted *in forma pauperis* status under 28 U.S.C. § 1915.

Casino Center Blvd. Las Vegas, NV 89101. If Plaintiff should be transferred and come under the care of the Nevada Department of Prisons, the CCDC Accounting Supervisor is directed to send a copy of this Order to the attention of the Chief of Inmate Services for the Nevada department of Prisons, P.O. Box 7011, Carson City, NV 89702, indicating the amount that Plaintiff has paid towards his filing fee, so that funds may continue to be deducted from Plaintiff's account.

Dated this 17th day of July, 2015.


PEGGY A. LEEN
UNITED STATES MAGISTRATE JUDGE